

BILL ANALYSIS

Senate Research Center
86R22024 MP-F

C.S.S.B. 1850
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Natural Resources & Economic Development
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Illegal tire disposal has been a rampant problem in Texas for years. More than 36 million tires are discarded each year in Texas, roughly one and one-half tires for every person residing in the state. If not transported and disposed of properly, these tires can lead to dangerous outcomes including costly, environmentally hazardous tire piles and increased fire, pollution, and public health and safety risks, such as increases in vector-borne illnesses like Zika, West Nile, and dengue fever.

Illegal dumping is often a result of unlicensed scavengers culling and stealing used tires from generators then dumping their rejects. These tires are transported illegally and dumped, costing the state millions of dollars in cleanup.

S.B. 1850 seeks to remedy these issues by amending current Health and Safety Code provisions regarding the transportation of scrap tires and improving oversight and enforcement by the Texas Commission on Environmental Quality. (Original Author's/Sponsor's Statement of Intent)

S.B. 1850 amends current law relating to used and scrap tire handlers.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 2 (Section 361.112, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 361, Health and Safety Code, by adding Section 361.0851, as follows:

Sec. 361.0851. FINANCIAL ASSURANCE REQUIREMENTS FOR USED AND SCRAP TIRE HANDLERS. (a) Defines "scrap tire" for purposes of this section.

(b) Provides that this section does not apply to a registered used or scrap tire processor using tires for energy recovery at an on-site cement kiln or other energy recovery facility identified by Texas Commission on Environmental Quality (TCEQ) rule.

(c) Requires TCEQ to require a bond or other financial assurance as a condition of issuing a registration for the transportation, storage, or processing of scrap tires. Requires the amount of the bond or other financial assurance required to be sufficient to cover the reasonable expenses of an immediate remedial or removal action under Section 361.1125 (Immediate Remediation or Removal of Hazardous Substance at Scrap Tire Site).

SECTION 2. Amends Section 361.112, Health and Safety Code, by adding Subsections (o) and (p), as follows:

(o) Requires TCEQ to require a used or scrap tire transporter to submit to TCEQ an annual report on the records maintained by the transporter under this section (Storage,

Transportation, and Disposal of Used or Scrap Tires). Provides that a used or scrap tire transporter who fails to submit an annual report under this section is not eligible to receive a registration insignia under Subsection (p).

(p) Requires TCEQ to annually issue a registration insignia to each used or scrap tire transporter. Requires the used or scrap tire transporter to display the insignia on each vehicle used to transport tires under the registration. Provides that the insignia expires annually on a date specified by TCEQ. Authorizes TCEQ to adopt rules for issuing duplicate and multiple insignia.

SECTION 3. Effective date: September 1, 2019.